1		$\mathbf{A}$	RTICLE II, NON-SUBURBAN DISTRICT REGULATIONS
2			DIVICIONAL DUDAT DICIPDICIPO
3			DIVISION A: RURAL DISTRICTS
4	Sectio	n 2-100	AR-1 Agricultural Rural-1
5	2-101	Purpo	ose and Intent. The purpose and intent of the AR-1 district is to:
6		(A)	Support the primary-use of land for rural economy uses, with residential
7			uses allowed secondarily in a form and context that is at densities
8 9			consistent with the general open and rural character of the rural economy uses.
10		(B)	Allow for a broad range of rural economy uses, including traditional and
11			new agricultural uses (agriculture, horticulture and animal husbandry),
12			agriculture support and basic-services directly associated with on-going
13			agricultural activities, and <u>other</u> low impact non rural uses that can be developed in ways that are consistent with the rural character of the <u>AR-1</u>
14 15			district rural economy uses through mitigation or other standards.
16		(C)	Recognize the County's tourism industry is interconnected with the rural
17			economy and rural economy uses in the district by allowing for tourism
18			uses related to traditional and new agricultural uses, conference and
19 20			training center uses, and rural activity and special event uses for tourists related to the traditional and new agricultural uses.
21		(D)	Promote Ensure consistency between that residential development and is
22			consistent with the open character of the rural economy uses through
23			lower by requiring either very low-density residential development or the
24			clustering of residential development in ways that are harmonious with
25 26			rural economy uses and that preserve the general rural character of the district.
27		(E)	Ensure that development is designed and located in ways that are
28 29			consistent with conservation design principles and protects and maintains primary conservation areas and secondary conservation areas in ways that
30			are consistent with the development of rural economy uses and the general
31			rural character of the district.
32		(F)	Ensure that the rural economy uses are compatible with any existing
33			permitted residential development.
34 35	2-102		<b>Regulations.</b> Table 2-102 summarizes the principal use regulations of the district.
36 37		(A)	<b>Organization of Use Table.</b> Table 2-102 organizes the uses in the AR-1 district by Use Classifications, Use Categories and Use Types.
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- (1) Use Classifications. The Use Classifications are: agricultural uses; 1 2 residential uses; public and institutional uses; commercial uses; and industrial uses. The Use Classifications assign land uses into 3 broad general classifications (e.g., agricultural uses and residential 4 5 uses). The Use Classifications then organize land uses and activities into general "Use Categories" and specific "Use Types" 6 based on common functional, product, or physical characteristics, 7 8 such as the type and amount of activity, the type of customers or 9 residents, how goods or services are sold or delivered, and site conditions. 10 (2)Use Categories. The Use Categories describe the major sub-11 groups of the Use Classification, based on common characteristics 12 13 (e.g., the residential Use Classification is divided into two major Use Categories: Household Living and Group Living). Principal 14 uses are identified in defining the Use Category. They are principal 15 16 uses that most closely share the common characteristics that are key to the Use Category. 17 (3) 18 Use Types. The Use Categories are divided into specific Use Types. The specific Use Types are included in the respective Use 19 20 Category. They identify the specific uses that are considered to 21 fall within characteristics identified in the Use Category. For 22 example, single family detached dwellings, multi-family dwellings 23 and town houses are Use Types in the Household Living Use 24 Category. (B) 25 Use Categories and Use Types Defined. All Use Categories and Use 26 Types listed in Table 2-102 are defined in Article VIII (Definitions). Permitted and Special Exception Uses. A "P" in the column identified 27 (C) 28 29 30
  - "AR-1" indicates that a Use Category or specific Use Type is permitted as a matter of right (as a permitted use) in the AR-1 district, subject to compliance with applicable standards and regulations in this Ordinance and other County ordinances. An "S" indicates that a Use Type is allowed in the AR-1 district as a special exception in accordance with the procedures and standards of Section 6-1300. An "M" indicates that a Use Type is allowed in the AR-1 district as a minor special exception in accordance with the procedures and standards of Section 6-1300. In some instances, and based on the Additional Regulations for Specific Uses (Section 5-600), a Use Type will be permitted as a matter of right under certain conditions or allowed as a special exception or minor special exception under other conditions. In those instances, it is identified as "P/S" or "P/M," as appropriate.

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1	(D)	Reference to General Use Category. References to "General Use
2		Category" under the Use Type column, means all of the uses in the Use
3		Category are allowed. The Use Category is defined in Article VIII. Where
4		specific Use Types are listed in the Use Type column, only the listed Use
5		Types in the Use Category are allowed. The Use Types are defined in
6		Article VIII.
7	(E)	Additional Regulations for Specific Uses. References to sections in the
8		final column of Table 2-102 (AR-1 District Use Table) indicate that the
9		listed use is subject to use-specific regulations. The numbers provide a
10		cross-reference to the "Additional Regulations for Specific Uses" in
11		Section 5-600.
12	(F)	Minimum Lot Size Requirements. Each principal permitted use shall
13		meet the minimum acreage requirement, where specified in the
14		"Additional Regulations for Specific Uses" in Section 5-600, for that use.
15		Where two or more principal uses are located on one parcel, the parcel
16		size shall be the larger of the two or more uses requirements, and not the
17		sum of all the minimum lot sizes.

TABLE 2-102:  AR-1 AGRICULTURAL RURAL-1 DISTRICT USE TABLE $P = PERMITTED S = SPECIAL EXCEPTION M=MINOR SPECIAL EXCEPTION$				
USE CATEGORY USE TYPE		USE TYPE AR-1 DISTRICT		
AGRICULTURAL US	SES			
Agriculture	General Use Category	Р	Section 5-626	
Horticulture	General Use Category P Section 5-626		Section 5-626	
Animal Husbandry	General Use Category P Section 5-626		Section 5-626	
Agriculture Support and Services Directly	Agricultural processing	Р	Section 5-627	
Related to On-going Agriculture,	Agri-education	P	Section 5-627	
Horticulture and Animal Husbandry	Animal care business	P	Section 5-627	
Activity, On-Site	Agritainment	P	Section 5-627	
	Commercial winery with 20,000 square feet or less	P	Section 5-625	
	Commercial winery, over 20,000 square feet	S	Section 5-625	
	Custom operators	Р	Section 5-627	

3

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TABLE 2-102: AR-1 AGRICULTURAL RURAL-1 DISTRICT USE TABLE P = PERMITTED S = SPECIAL EXCEPTION M=MINOR SPECIAL EXCEPTION				
USE CATEGORY	USE TYPE	AR-1 DISTRICT	ADDITIONAL REGULATIONS FOR SPECIFIC USES	
	Direct market business for sale of products produced on-site – including but not limited to PYO (pick-your-own)	P ,	Section 5-627	
	Equestrian facilities	P	Section 5-627	
	Farm based tourism	P	Section 5-628	
	Farm co-ops	P	Section 5-627	
ARTHURANI AND	Farm machinery repair	P	Section 5-627	
	Farm markets	Р	Section 5-603	
	Feedlot (for on-going, on-site animal husbandry activities)	P	Section 5-627	
	Nursery, commercial	S	Section 5-605	
	Nursery, production	P	Section 5-605	
	Pet farms	P	Section 5-627	
	Restaurant	P	Section 5-627	
	Sawmill	S	Section 5-629	
	Stables	P	Section 5-627	
	Veterinary services	P		
	Virginia Farm Winery	P		
REPORT	Wayside stand	P	Section 5-604	
	Wetlands mitigation bank	P	Section 5-627	
Agriculture Support and Services Not	Agricultural research facility	P	Section 5-644	
Directly Associated with On-Site	Animal care businesses	P	Section 5-630	
Agricultural Activity	Central farm distribution hub for agricultural products	Р	Section 5-630	

TABLE 2-102:  AR-1 AGRICULTURAL RURAL—1 DISTRICT USE TABLE $P = PERMITTED S = SPECIAL EXCEPTION M=MINOR SPECIAL EXCEPTION$				
USE CATEGORY	USE TYPE	AR-1 DISTRICT	ADDITIONAL REGULATIONS FOR SPECIFIC USES	
	Commercial winery with 20,000 square feet or less	P	Section 5-625	
	Commercial winery, over 20,000 square feet	S -	Section 5-625	
	Equestrian facility	P	Section 5-630	
	Equestrian facility, on lots of less than 50 acres or without frontage on state maintained road	М	Section 5-630	
	Farm machinery repair	P	Section 5-630	
	Farm machinery sales, rental and service	P	Section 5-615	
	Mill feed and farm supply center	P	Section 5-630	
Nursery, commercial		S	Section 5-605	
	Stable, neighborhood, on lots of 25 acres or more, or frontage on state maintained road	Р	Section 5-630	
	Stable, neighborhood, on lots of less than 25 acres or without frontage on state maintained road	М	Section 5-630	
	Stable, private	P	Section 5-630	
	Animal hospital	P	Section 5-631	
Animal Services	Kennel	<u>S</u> M	Section 5-606	
	Kennel, Indoor	<u>M</u> P	Section 5-606	
RESIDENTIAL USE	S			
Household Living	Accessory dwelling (accessory to single family detached dwelling)	P	Section 5-613	
	Caretaker's residence (accessory to single family detached dwelling)	₽		

TABLE 2-102:  AR-1 AGRICULTURAL RURAL–1 DISTRICT USE TABLE P = PERMITTED S = SPECIAL EXCEPTION M=MINOR SPECIAL EXCEPTION				
USE CATEGORY			ADDITIONAL REGULATIONS FOR SPECIFIC USES	
	Dwelling, single-family detached, including manufactured housing	P .	May use AR District Cluster Option. See Sections 2 104-and 5 703. May divide property in accordance with Section 2-103 Development Options.	
	Guest house (accessory to single family detached dwelling)	P	Section-5-612	
	Home occupation (accessory to single family detached dwelling)	Р	Section 5-400	
	Portable Dwelling/Trailer Construction	Р		
	Co-housing	P		
a	Convent or monastery	P/S	Section 5-656	
Group Living	Dormitory, seasonal labor	M	Section 5-632	
	Rooming house	P		
	Tenant dwelling	₽	Section 5 602	
	Tenant dwelling, seasonal labor	₽	Section 5 602(C)	
PUBLIC AND INSTIT	TUTIONAL USES			
Aviation	Airport/landing strip	S	Section 5-633	
Day Care Facilities	Child care home	P	Section 5-609(A)	
Day Care Facilities	Child or adult day care center	S	Section 5-609(B)	
	Agricultural cultural center	S	Section 5-634	
Cultural and Government	Fairground	S	Section 5-635	
Facilities	Structures or uses for local government purposes not otherwise listed in the district	S		
Education	School (elementary, middle, or high)	S		
	Vocational school	S		

TABLE 2-102:  AR-1 AGRICULTURAL RURAL—1 DISTRICT USE TABLE P = PERMITTED S = SPECIAL EXCEPTION M=MINOR SPECIAL EXCEPTION			
USE CATEGORY	USE TYPE	AR-1 DISTRICT	ADDITIONAL REGULATIONS FOR SPECIFIC USES
	Arboretum	P	Section 5-636
	Botanical garden or nature study area	P ·	Section 5-636
	Cemetery	s	Section 5-637
Park and Open	Mausoleum	S	Section 5-637
Space	Crematorium	S	Section 5-637
	Community, neighborhood, or regional park, passive recreational uses	P	
	Community, neighborhood, or regional park, active recreational uses	S	·
	Fire and/or rescue station	Р	Section 5-638
Public Safety	Police station or substation	Р	Section 5-638
	Church, synagogue, temple or mosque, with seating capacity of 300 or less seats in sanctuary or main activity area	P	Section 5-639
Religious Assembly	Church, synagogue, temple or mosque, with seating capacity of more than 300 in sanctuary or main activity area, or accessory schools, day care centers with more than 50 children, recreational facilities	S	Section 5-639
Utility	General Use Category	P	Recycling drop-off collection center, public: Section 5-607 Utility substation, transmission: Section 5-616(A) Utility substation, distribution: Section 5-616(B)
	Municipal drinking water supply reservoir	P	
	Sewage Treatment Plant	S	Section 5-621
	Sewer Pumping Station	P	Section 5-621
	Water Storage Tank	S	Section 5-621

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TABLE 2-102:  AR-1 AGRICULTURAL RURAL—1 DISTRICT USE TABLE P = PERMITTED S = SPECIAL EXCEPTION M=MINOR SPECIAL EXCEPTION				
USE CATEGORY	USE CATEGORY USE TYPE		ADDITIONAL REGULATIONS FOR SPECIFIC USES	
	Water Treatment Plant	S	Section 5-621	
	Water Pumping Station	P -	Section 5-621	
	Utility transmission lines, overhead (excluding connections of lines from existing overhead public utility transmission lines to individual uses)	S Unless excepted by Section 1-103(D)		
COMMERCIAL USE	es			
	Conference and training centers	P/M	Section 5-640	
Conference and	Rural corporate retreat	P	Section 5-619	
Training Centers	Rural Resort	₽ <u>/M</u>	Section 5-601 <del>(D)</del> <u>(C)</u>	
	Rural Retreat	<u>₽/M</u>	Section 5-601 <del>(D)</del> <u>(C)</u>	
	Teahouse; coffeehouse	P	Section 5-641	
Food and Beverage	Banquet facility	M	Section 5-642	
	Restaurant	M	Section 5-643	
Office	Educational or research facilities use related to the agriculture, horticulture and animal husbandry uses in the district	М	Section 5-644	
Recreation and Entertainment	Camp, day and boarding, with 30 or fewer campers	P	Section 5-645	
	Camp, day and boarding, with more than 30 campers	М	Section 5-645	
Bassin Bassaccon (1975)	Campground	M	Section 5-646	
	Country Club	<u>s</u>	<u>Section 5-660</u>	
	Cross country ski business	P	Section 5-647	
	Eco-tourism	P	Section 5-647	

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TABLE 2-102:  AR-1 AGRICULTURAL RURAL–1 DISTRICT USE TABLE  P = PERMITTED S = SPECIAL EXCEPTION M=MINOR SPECIAL EXCEPTION			
USE CATEGORY	CATEGORY USE TYPE		ADDITIONAL REGULATIONS FOR SPECIFIC USES
	Golf course	S	Section 5-648
	Outdoor amphitheater	S	Section 5-649
	Private Club or Lodge	<u>s</u>	
	Rural recreational establishment, outdoor	P	
	Antique shop	P	Section 5-650
	Art gallery or art studio	P	Section 5-650
Retail Sales and Service	Auction house	S	Section 5-651
	Craft shop	P	Section 5-650
	Small business	P/M	Section 5-614
	Bed and breakfast, home stay	P/M	Section 5-601(A)
Visitor	Bed and breakfast inn	P/M	Section 5-601(B)-(A)
Accommodation	Country inn	<u>P/</u> M	Section 5-601 <del>(C) (B)</del>
	Guest farm or ranch leasing up to 20 guest rooms	P	
INDUSTRIAL USES			
	Radio and/or television tower	S	Section 5-618
	Telecommunications antenna	P	Section 5-618(A)
Telecommunication Use and/or Structure	Telecommunications monopole	P	Section 5-618(B)(1)
	Telecommunications monopole	S	Section 5-618(B)(2)
	Telecommunications transmission tower	S	Section 5-618(C)(2)
Waste-Related Uses	Yard waste and/or vegetative waste compost-Vegetative Waste Management facility	M	(Grant of a special exception does not avoid requirements of Chapter 1080, Codified Ordinances of Loudoun County, or any other applicable law.)



TABLE 2-102:  AR-1 AGRICULTURAL RURAL—1 DISTRICT USE TABLE  P = PERMITTED S = SPECIAL EXCEPTION M=MINOR SPECIAL EXCEPTION				
USE CATEGORY	USE TYPE	AR-1 DISTRICT	ADDITIONAL REGULATIONS FOR SPECIFIC USES	
	Yard Waste Composting Facility	<u>s</u>	(Grant of a special exception does not avoid requirements of Chapter 1080, Codified Ordinances of Loudoun County, or any other applicable law.)	
	Stockpiling of dirt	S	Section 5-657	

2-103 Lot and Building Requirements. Table 2 103 identifies the lot and building requirements that apply to all development in the AR 1 district, except land developed under the AR District Cluster Option pursuant to Section 2 104 and Section 5 703, or unless the performance standards in Section 5 600 (Additional Regulations for Specific Uses) specify different requirements.

	TABLE 2-103
	AR 1 LOT AND BUILDING REQUIREMENTS
(EXCEPT DE	VELOPMENT UNDER AR DISTRICT CLUSTER OPTION)
Minimum Lot-Size	<del>20 acres</del>
Minimum Lot Width	200 feet on paved roads; 50 feet on unpaved roads
Minimum Yards	No building shall be located within 25 feet of any property line nor within 100
	feet from the right of way of any arterial road, 75 feet from the right of way of
	any collector road, and 35 feet from any other road right of way, private access
	easement, and any prescriptive easement.
Maximum Lot Coverage	8% maximum, based-on-gross-acreage
Maximum Building Height	35 feet. No restriction for buildings used exclusively for agriculture,
	horticulture and animal-husbandry.
Lot Access	Access to individual lot provided by privately owned and maintained
	travelway-which-shall-either-be:
	requirements of Chapter 4:Transportation of the
	Facilities Standards Manual; or
	→ A private lane that:
	Is within a 24' private easement;
I .	— ■ Is at least 12' in width;
	— ■ If paved, is 2" over a 4" base;
	— ■ If gravel is 6"; and
	Has a minimum grade of 10% with a minimum
	30' centerline curve radius.
	Private access easement or private lane may serve as frontage in
	lieu of public road frontage up to 25 lots.
	Plat of division shall contain a note and provide for maintenance of private
	access easement or private lane.

1 2 3	<del>2-10</del> 4	may	<del>be de</del>	velop	Option. At the option of the landowner, lands in the AR 1 district ed pursuant to the procedures and requirements of the AR District (Section 5 703).
4	2-105	- Utili	ty Re	quire	ments.
5 6 7 8		<del>(A)</del>	<del>co</del> :	mmur. pply-s	Development shall be served either by individual wells or all water supply systems. Individual wells or communal water ystems may be located within the Rural Economy Conservation onsistent with the standards of Section 6-2005.
9 10 11 12		<del>(B)</del>	<del>sy:</del> ma	stems ny be	ater. Development shall be served either by communal sewer or by septic systems. Communal sewer systems or septic systems located within the Rural Economy Conservation Lands-consistent standards of Section 6 2005.
13 14 15 16 17 18 19		unde secti Subc	on shelivision  Base follo	e of the sall property on in the sall property of t	Options. Land within the AR-1 zoning district may be subdivided the three development options identified below. Nothing in this eclude the opportunity for a property owner to file for a Family accordance with the requirements of the Land Subdivision and redinance.  In this is in this expectation option. A Base Density Division meeting the standards and criteria may be permitted in accordance with the soutlined in the Land Subdivision and Development Ordinance
21					or such division:
22 23			(1)		Yield. Under the Base Density Division Option, the maximum lot shall be one lot per 20 acres.
24 25 26 27			(2)	with and	the Base Density Division Option are identified in Table 2-102 are subject to the Additional Regulations for Specific Uses of ion 5-600.
28			(3)	Lot	and Building Requirements.
29				(a)	Minimum Lot Size. 20 acres.
30				(b)	Minimum Lot Width. 175 feet.
31 32 33 34 35				(c)	Minimum Yards. No structure shall be located within 25 feet of any property line or within 100 feet from the right-of-way of any arterial road, 75 feet from the right-of-way of any collector road, and 35 feet from any other road right-of-way, private access easement, and/or any prescriptive easement.
36				(d)	Maximum Lot Coverage. 11% maximum.

			·
1 2		(e)	Maximum Building Height. 35 feet, excluding agricultural, horticultural, and animal husbandry structures.
3		(4) <u>C</u> 1	reation of Lots.
4 5 6 7		(a)	Request. Requests for creation of lots by plat of division in the AR-1 District shall be submitted to the Director of the Department of Building and Development (or designee) for review and approval in accordance with "AR-2 and AR-1"
8			Divisions" of the Land Subdivision and Development Ordinance.
9 0 1 1 2 3 4		(b	Public Road Frontage. No such lot shall be created fronting on a public road unless the publicly dedicated width of the road along the entire frontage of the newly created lot, measured from the centerline of the road to the property line of the lot, satisfies the criteria of the Virginia Department of Transportation (VDOT).
6 17 18		(c)	
9		(5) <u>Le</u>	ot Access.
20 21 22		(a)	Access to individual lots may be provided by a private access easement that complies with the requirements of the Facilities Standards Manual.
23 24		(b	A private access easement may serve as frontage in-lieu of public road frontage for up to 7 lots.
25 26		(c)	The plat of division shall contain a note detailing the provisions for the maintenance of the private access easement.
28 29 30 31 32 33 34 35 36 37 38 88 99 40	(B)	Subdivical calculated The many below.  of one Subordine assigned from the Principanumber Subordine Option	al/Subordinate Subdivision Option: The Principal/Subordinate sion Option is a subdivision of land in which a maximum lot yield is ed for an Originating Tract based on the gross acreage of such tract. ximum lot yield shall be as set forth in Subsection 2-103(B)(1)(b) The Principal/Subordinate Subdivision Option results in the creation Principal Lot, and one or more Subordinate Lots. The number of nate Lots created is subtracted from the maximum lot yield and the genumber establishes the remaining number of lots, which is do to the Principal Lot. The creation of subsequent Subordinate Lots en Principal Lot is permitted, with the number of lots assigned to the of lots assigned to the Principal Lot is reduced to one, no more nate Lots can be created. The Principal/Subordinate Subdivision typically allows the landowner to achieve a greater lot yield than the nsity of the Base Density Division Option, while providing for the
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1 2			nent of rural economy uses as a primary use with single-family residential development as a secondary use.
3	(1)	Gen	eral Requirements.
4		(a)	General. A landowner may exercise this option on a site
5		147	consisting of a minimum of 20 acres prior to development.
6		(b)	Lot Yield. The maximum lot yield shall be 1 lot per 10 acres.
•		(0)	Lot Tied. The maximum for yield shan be 1 for per 10 acres.
7 8	(2)	Cha	racteristics of Principal/Subordinate Subdivision Option.
_		(.)	The last stall of a Delection I/Cab and in the Collaboration of all the
9		(a)	The lot yield of a Principal/Subordinate Subdivision shall be
10			calculated from the Originating Tract of land in existence at the time the first Principal/Subordinate Subdivision is created.
[]			time the first Fineipan Subordinate Subdivision is created.
12		(I-)	Out - Deinsing 1/Subandinate Subdivision is suppted the number
13		(b)	Once a Principal/Subordinate Subdivision is created, the number
14			of lots assigned to the subdivision shall not be altered.
15			
16		(c)	The lot yield of the Originating Tract shall be calculated with
17			each preliminary and/or record plat. At the time of the first
18			subdivision, the number of Subordinate Lots created is subtracted
19			from the number of lots calculated for the Originating Tract and
20			the remaining number of lots is then assigned to the Principal
21			Lot. Each subsequently created Subordinate Lot is subtracted
22			from the number of lots assigned to the Principal Lot and shall
23			reduce the number of lots assigned to the Principal Lot by one
24			(1) for each lot.
25			
26		(d)	A Principal Lot may be further subdivided, provided the
27			minimum requirements of the Zoning Ordinance and Land
28			Development and Subdivision Ordinance (LSDO) are met. Once
29			the number of lots assigned to the Principal Lot is reduced to
30			one, the Principal Lot may no longer be subdivided.
31			
32		(e)	Subordinate Lots shall not be further subdivided. The record plat
33			and initial deed of conveyance after establishment of a
34			subdivision lot under the Principal/ Subordinate Subdivision
35			Option shall contain a statement to this effect.
36			
37		(f)	A subdivision of one or more lots may occur at one time or in a
38			series of subdivisions up to the maximum lot yield calculated for
39			the Originating Tract.
40			

1		(g)	Any subdivision record plat for a Principal/Subordinate
2		(6)	Subdivision shall contain a tabulation of density showing, in
3			addition to all Land Subdivision and Development Ordinance
4			(LSDO) requirements, the lot yield originally calculated for the
5			Originating Tract, all prior subdivisions from the Originating
6			Tract and each resulting Principal Lot and number of lots created
7			pursuant to such subdivisions.
8			
9		(h)	The Principal Lot shall be clearly labeled on each record plat.
10		• •	•
11		(i)	Each Principal/Subordinate Subdivision shall contain at least one
12			Rural Economy Lot of a minimum of 15 acres in size.
13			
14	(3)	Perr	mitted Uses.
15		(a)	Principal and Subordinate Lots. The uses permitted on lots
16			developed in accordance with the Principal/Subordinate
17			Development Option are identified in Table 2-102 and are
18			subject to the Additional Regulations for Specific Uses of
19			Section 5-600.
20			
21	(4)		and Building Requirements. The Lot and Building
22			irements for development under the Principal/Subordinate
23			division Option are identified below, except where the
24			ormance standards in Section 5-600 (Additional Regulations for
25		Spec	cific Uses) specify different requirements for a particular use.
26			
27		(a)	Minimum Lot Size. 80,000 square feet, exclusive of major
28			floodplain. At least one lot in the development shall be a Rural
29			Economy Lot with a minimum of 15 acres.
30			
31		(b)	Minimum Lot Width. 175 feet.
32			
33		(c)	Maximum Length/Width Ratio. 3:1.
34			
35		(d)	Minimum Yards. No structure shall be located within 25 feet of
36		()	any property line or within 100 feet from the right-of-way of any
37			arterial road; 75 feet from the right-of-way of any collector road;
38			or 35 feet from any other road right-of-way, private access
39			easement, and/or any prescriptive easement.
40			
41		(e)	Maximum Lot Coverage. 15%.
		(0)	Maximum Dot Coverage. 15 70.
42		( <del>f</del> )	Puilding Height 25 feet maximum excluding equivalent
43 44		(f)	Building Height. 35 feet maximum, excluding agricultural, horticultural, and animal husbandry structures.
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1 2 3		(5)	<u>Landscaping/Buffering.</u> Notwithstanding the requirements of Section 5-1400, required buffers may be provided on either the Principal and/or Subordinate lot.
4		(6)	Utility Requirements.
5 6			(a) Water. All lots shall be served by individual water supply systems located on the lot.
7 8			(b) Sewer. All lots shall be served by individual sewage disposal
9 10 11		(7)	systems located on the lot.  Fire Protection. The development shall satisfy the fire protection standards set forth in the Facilities Standards Manual.
12		(8)	Lot Access.
13 14 15			(a) Access to individual lots may be provided by a private access easement that complies with the requirements of Chapter 4: Transportation, of the Facilities Standards Manual.
16 17			(b) A private access easement may serve as frontage in lieu of public road frontage up to 25 lots per easement.
18 19			(c) The record plat of subdivision shall contain a note detailing the provisions for the maintenance of the private access easement.
20 21 22 23 24 25	(C)	the splus	ster Subdivision Option. The Cluster Subdivision Option allows for subdivision of a tract of land with a more compact residential design one or more large lots suitable for rural economy uses and/or common space. Communal water and sewer systems may be used for such lopments.
26		(1)	General Requirements.
27 28			(a) General. A landowner may exercise this option on a site consisting of a minimum of 20 acres prior to development.
29 30			(b) Lot Yield. The maximum lot yield shall be 1 lot per 10 5 acres.
31 32		(2)	Characteristics of Cluster Subdivision Option.
33 34 35 36			(a) Depending on the tract size, the cluster subdivision may include one or more Rural Cluster Lots and at least one Rural Economy Lot and may include Common Open Space.

1 2 3	(b)	The lot yield of the cluster subdivision shall be calculated from the gross acreage for the tract of land from which the subdivision is created.
4 5 6	(c)	All lots within the cluster subdivision shall be created at one time.
7 8 9	(d)	The lots created by cluster subdivision shall not be further subdivided.
10 11 12	(e)	A Homeowners' Association is required for any subdivision with common elements as described in Section 2-104.
13 14 15	(f)	Each preliminary and record plat for a cluster subdivision shall contain a tabulation of lot yield for the cluster subdivision.
16 17 18	(g)	The perimeter setback required in Section 2-103(C)(6) shall be indicated and clearly labeled on each preliminary and record plat.
19 20 21 22	(h)	A minimum of 70% of the gross land area of the development shall be comprised of a Rural Economy Lot(s) or a combination of Rural Economy Lot(s) and Common Open Space.
23 24 25	(i)	Variation of Lot Sizes: In all new residential subdivisions containing seven (7) or more lots, a mixture of lot sizes and
26 27 28		dimensions shall be provided in order for a variety of housing opportunities and avoid monotonous streetscapes. No more than 25 percent of all lots shall be similar in total area. For purposes
29 30 31		of this subsection, "similar" lot areas shall be defined as within 1,500 square feet of each other.
32 33 34 (3)	prop	standards for Residential Cluster Lots. The site layout of the osed development shall occur in conjunction with preliminary ivision plat review. Development of the cluster option shall
35		ply with all of the following standards, in addition to the LSDO:
36 37 38 39	(a)	Number of Lots in Cluster(s). Rural Cluster Lots shall be grouped in clusters consisting of a minimum of 5 lots and a maximum of 25 lots, except that a cluster may consist of fewer than 5 lots if any one of the following applies:
40 41		(i) There will be fewer than 5 lots in the entire subdivision.
42 43		(ii) In the AR-1 district, the area of the site is less than 50 acres.

1		(iii) It is demonstrated that a cluster of fewer than 5 lots will
2		result in less disturbance of land within the Mountainside
3		Development Overlay District (MDOD), Floodplain
4		Overlay District (FOD) lands, and/or land containing steep
5		slopes and/or wetlands.
6	(b)	Number of Clusters. Multiple groupings of Rural Cluster Lots
7		shall be required where the total number of lots on a site is
8		greater than 25. A single grouping of Rural Cluster Lots shall
9		contain all the lots where the total number of lots on a site is 25
10		or fewer, except that multiple clusters may be allowed where it is
11		demonstrated that multiple clusters will result in less disturbance
12		of land within the Mountainside Development Overlay District
13		(MDOD), Floodplain Overlay District (FOD) lands, and/or land
14		containing steep slopes and/or wetlands.
15		
16	(c)	Distance Between Clusters. If more than one grouping of Rural
17		Cluster Lots is to be created from a parcel, a minimum of 500
18		feet shall separate the lot lines of the outer boundaries of each
19		grouping of Rural Cluster lots (exclusive of open space and lots
20		15 acres or greater).
21		
22	(d)	Minimum Lot Size.
23	` ,	····
24		(i) On-site Water and Wastewater. 40,000 sq. ft., exclusive of
25		major flood plain.
26		
27		(ii) Off-site Wastewater, On-site Water. 20,000 sq. ft.,
28		exclusive of major flood plain.
29		
30		(iii) Off-site Water and Off-Site Wastewater. No minimum lot
31		size.
32		
33	(e)	Maximum Lot Size. 4 acres, exclusive of major floodplain.
34	(0)	nammam 200 Silve - 1 deres, execusivo of major frodeplant.
35	(f)	Maximum Lot Coverage.
36	(1)	Manifull Dot Coverage.
37		(i) Lots less than 40,000 sq. ft.: 8%
38		(ii) Lots 40,000 sq. ft. – 4 acres: 15%
39		Th
40	(g)	Permitted Uses on Lots. The uses allowed on lots are identified
41		in Table 2-102 and are subject to the Additional Regulations for
42		Specific Uses in Section 5-600.
43		

1 2		(4)	shall	contair	rds for Rural Economy Lots. Each cluster subdivision at least one Rural Economy Lot of a minimum of 15 7 all meet the following standards:
3			acres	mai sii	an meet the following standards.
4 5			(a)	Minim	um Lot Size. 45 7 acres.
6			(b)	Maxin	num Lot Coverage. 8%.
7			(n)	Minim	T of XX!: J4h 175 foot
8			(c)	William	um Lot Width. 175 feet.
10			(d)	Maxin	num Length/Width Ratio. 3:1.
11			` ,		
12			(e)	Permi	tted Uses on Lots. The uses allowed on lots are identified
13				<u>in Tab</u>	le 2-102, subject to the Additional Regulations for Specific
14				Uses in	n Section 5-600.
15				_	
16		(5)			pen Space Use. Land that is neither part of a building lot
17					ght-of-way shall be placed in common open space and shall
18					ed by a Homeowner's Association as described in Section 2-
19					on Open Space shall be designed to constitute a contiguous
20			and	<u>cohesiv</u>	e unit of land which may be used as described below.
21			Com	mon Op	pen Space has no minimum or maximum lot size and no lot
22			widt	h regula	tions. Further, Common Open Space does not count against
23			the le	ot yield	allotted to the subdivision.
24					
25			(a)	Permi	tted Uses. Uses allowed on the Common Open Space land
26				are list	ed below and are subject to the Additional Regulations for
27					ic Uses in Section 5-600 as referenced:
28					
29				(i)	Bona fide agriculture, horticulture, animal husbandry and
30					structures accessory to such use, including, but not limited
31					to barns and run-in sheds to house livestock or farm
32					equipment, pursuant to Section 5-626.
33					
34				(ii)	Construction and/or sales trailer, during period of
35					construction activity.
36					
37	1			(iii)	Easements and improvements for drainage, access, sewer
38				· /	or water lines, or other public purposes.
39					
40				(iv)	Passive open space or passive recreation, including but not
41				(**)	limited to trails, picnic areas, community gardens.
42					inition to training profite droubly continuently spirituality
43				(v)	Sewage disposal system, communal.
44				(1)	50 Wago dioposar system, communan
45				(vi)	Sewer pumping station.
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I					
2				(vii)	Stables, pursuant to Section 5-627.
3				, ,	
4				(viii)	Stormwater management facilities for the proposed
5					development or for a larger area in compliance with a
6					watershed stormwater management plan.
7					<del></del>
8				(ix)	Telecommunications antenna, pursuant to Section 5-
9				` '	618(A).
10				(x)	Telecommunications monopole, pursuant to Section 5-
11					618(B)(1).
12				(xi)	Telecommunications monopole, pursuant to Section 5-
13					<u>618(B)(2).</u>
14				(xii)	Utility substation, dedicated.
1.5				(:::)	I Italian tanananing in times arrests and (arrely dime
15				(xiii)	Utility transmission lines, overhead (excluding
16					connections of lines from existing overhead public utility
17					transmission lines to individual uses).
18 19				(xiv)	Water pumping station.
				(XIV)	water pumping station.
20				()	W-t
21				(xv)	Water supply system, communal.
22			(1-)	Cunni	The fellowing was an accurated within
23			(b)		al Exception Use. The following uses are permitted within
24					non Open Space with Special Exception approval pursuant to
25					n 6-1300 and are subject to the Additional Regulations for ic Uses in Section 5-600 as referenced.
26 27				Specii	ic Oses in Section 5-000 as referenced.
28				(ii)	Active recreation space.
29				(ii)	Telecommunications tower, pursuant to Section 5-
30				(12)	618(C)(2).
31		(6)	<u>Setb</u>		
32			(a)		ck. No structure shall be located within one hundred (100)
33					om the right of way of any arterial road; seventy five (75)
34					om the right of way of any collector road; or thirty five
35					feet from any other road right of way, private access
36 37				easem	ent, and/or prescriptive easement.
38			(b)	Perim	neter Setback. Residential dwellings within the subdivision,
39			(0)		ing the Rural Economy Lot, shall be set back a minimum of
40					et from any lot line adjoining parcels not located within the
41					subdivision.
42					
43		(7)	Yar	ds.	
	Section 2-100				July 18, 2006 with September 6, 2006

1		(a)	Front. 35 feet minimum.
2		(b)	Side. 15 feet minimum.
4		(a)	Door 25 feet minimum
5 6		(c)	Rear. 35 feet minimum.
7	(8)	<u>Buil</u>	ding Requirements.
8			TO 1111 TH 114 (701) (1 (201) C (1 (1 1)
9 10		(a)	Building Height. Thirty five (35) feet maximum, excluding agricultural, horticultural, and animal husbandry structures.
11	(0)	¥7.93	
12	(9)	<u>Utili</u>	ity Requirements.
13		(0)	Water All lete shall be conved by either
14		(a)	Water. All lots shall be served by either:
15			(i) <u>Individual water systems, located on the lot served, or</u>
16			(ii) Communal water system, located within Common Open
17			Space, with maintenance to be provided pursuant to Section
18			2-103(C)(10).
19 20		(b)	Sewer. All lots shall be served by either:
21			(i) Individual sewage disposal systems, located on the lot
22			served or in Common Open Space. A maximum of seventy
23			percent (70%) of the lots may have primary and/or reserve
24			septic fields within common open space. The record plat
25			shall identify the location of all septic fields and shall
26			assign them to lots. or
27			(ii) Communal sewage disposal system that shall be located
28			within Common Open Space with maintenance to be
29			provided pursuant to Section 2-103(C)(10).
30	(4.0)	35 1	ATT A TO THE LOCAL
31	(10)		Intenance of Water and/or Sewage Disposal Systems.
32 33		(a)	Individual Systems. Maintenance of Individual Water and Individual Sewage Disposal Systems shall be the responsibility
			of the owner of the lot the system serves.
34 35			of the owner of the lot the system serves.
36	1	(b)	Communal. If the development is served by a communal water
37			and/or sewage disposal system, such systems shall be operated
38			and maintained by LCSA, in accord with all LCSA adopted
39			policies. If LCSA policies preclude maintenance by LCSA, then
40			the HOA shall contract with a public water or sewer
41 42			(wastewater) utility as defined in Chapter 10.1 or 10.2 of Title 56 of the Code of Virginia. An access easement shall be provided
42 43			for the entity maintaining the system. All costs of operation and
+3 44			maintenance of such communal systems shall be borne as a
45			common expense by the owners of the lots served
	Section 2-100		20 July 18, 2006 with September 6, 2006
	AP 1		Roard of Supervisors changes

				·
1 2		(	11)	Lot Access.
3 4 5				(a) Access to individual lots or common open space may be provided by a private access easement which shall comply with the requirements of the Facilities Standards Manual.
6 7 8				(b) Private access easements may serve as frontage in lieu of public road frontage for up to 25 lots per easement.
9 10 11				(c) The plat of subdivision shall contain a note detailing the maintenance provisions of the private access easement.
12 13 14		(	12)	Fire Protection. The development shall satisfy the fire protection standards set forth in the Facilities Standards Manual.
15 16 17 18	2-104	Hom (A)	If the below	e subdivision contains any of the common areas of improvements listed w, the development shall have an incorporated Homeowners' ociation ("HOA"). The HOA shall have the responsibility to maintain collowing areas or improvements:
20 21			(1)	Common open space areas within the development that are not part of an individual lot;
22 23 24			(2)	Lot(s), if owned by the HOA;
24 25 26 27			(3)	Private roads, if any, within or serving the development, except as provided in Section 2-104(C);
27 28 29 30			(4)	Communal water and/or sewage disposal systems, except as provided in Section 2-104(D);
31 32			(5)	Any stormwater management facilities or areas;
33 34			(6)	Fire protection pond(s), dry mains, or other improvements;
35 36 37			(7)	Such other common facilities or improvements as may be designated in the bylaws of the HOA.
38 39		(B)		abership in the HOA shall be required for all purchasers of lots in the ivision and their successors in title.
40 41 42 43 44		(C)	com	withstanding the requirements of Section 2-104(A) above, if the only mon element is the private roads or easements, then such private roads or ments shall either be maintained by an HOA or pursuant to a private road attenance agreement. If such roads are to be maintained pursuant to a

1			private road maintenance agreement, then the terms thereof shall be included
2			on each record plat of subdivision for the development.
3			
4		(D)	Notwithstanding the requirements of Section 2-104(A) above, communal
5			water or sewage disposal systems may be maintained by LCSA or a public
6			water or sewer (wastewater) utility as defined in Chapter 10.1 or 10.2 of
7			Title 56 of the Code of Virginia.
8			• • • • • • • • • • • • • • • • • • •
9		(E)	Prior to approval of a record plat of subdivision for the cluster:
10			(1) If an HOA is to be established, the landowner shall submit documents
11			for the creation of the HOA to the County for review and approval,
12			including its bylaws, and all documents governing ownership,
13			maintenance, and use restrictions for common areas, including a legal
14			description of such areas and a description of restrictions placed upon
15			the use and enjoyment of the land;
16			(2) If a communal water and/or sewage disposal system is to be
17			maintained by a third party, a minimum two year maintenance contract
18			is to be submitted for review by the County.
19			•
20			(3) If the subdivision is served by private roads and there is no HOA for
21			the subdivision, the developer shall submit a private road maintenance
22			agreement to the County for review and approval.
23			
24	2-105	Reco	ognizing Protection by Right to Farm Act. Record plats and deeds
25		<u>auth</u>	orized pursuant to this section shall include a statement that agricultural
26		oper	ations enjoy the protection of the Right to Farm Act (Va. Code Section 3.1-
27		22.2	8 et seq.).
28			
29	2-106	Exis	ting Lots of Record.
30			
31		(A)	Lots existing as of (insert date of ordinance adoption) shall be permitted
32			the uses identified in Table 2-102: AR-1 Agricultural Rural-1 District Use
33			Table and shall follow the lot and building requirements for the Base
34			Density Division option as identified in Section 2-103(A).
35			
36	1	(B)	Hamlet Lots. For lots recorded prior to (insert date of ordinance adoption)
37			and developed under a hamlet subdivision, in accordance with the zoning
38			ordinance in effect at the time of subdivision, such lots shall follow the
39			requirements in effect as of the date the lots were recorded.
40			
41			
42			

#### Section 2-200 AR-2 Agricultural Rural-2

- Support the primary use of land for rural economy uses consistent with the pattern of rural and agricultural land uses in the district, including sustaining and nurturing the economically significant equine industry.
  - (B) Allow residential uses secondarily in a form that is at densities consistent with the general open and rural character of the rural economy uses, and consistent with the land use patterns in the district, which are marked by very low density and large parcels relative to the other portions of the County.
  - (C) Allow for a broad range of rural economy uses, including traditional and new agricultural uses (agriculture, horticulture and animal husbandry)), agriculture support and basic services directly associated with on-going agricultural activities, and other low impact non rural uses that can be developed in ways that are that are consistent with the rural character of the AR-2 District rural economy uses through mitigation or other standards.
  - (D) Recognize the County's tourism industry is interconnected with the rural economy and rural economy uses in the district by allowing for tourism uses related to traditional and new agricultural uses, conference and training center uses, and rural activity and special event uses for tourists related to the traditional and new agricultural uses.
  - (E) Promote consistency between Ensure that residential development and is consistent with the open character of the rural economy uses through lower by requiring either very low density residential development or the clustering of residential development in ways that are harmonious with rural economy uses and that preserve the general rural character of the district.
  - (F) Ensure that development is designed and located in ways that are consistent with conservation design principles and protects and maintains primary conservation areas in ways that are consistent with the development of rural economy uses and the general rural character of the district.
  - (G) Ensure that the rural economy uses are compatible with any existing permitted residential development.
- 2-202 Use Regulations. Table 2-202 summarizes the principal use regulations of the AR-2
   district.
- (A) (B) Organization of Use Table. Table 2-202 organizes the uses in the AR-2 district by Use Classifications, Use Categories and Use Types.



1 2 3 4 5 6 7 8	(1)	Use Classifications. The Use Classifications are: agricultural uses; residential uses; public and institutional uses; commercial uses; and industrial uses. The Use Classifications provide a systematic basis for assigning present and future land uses into broad general classifications (e.g., agricultural uses and residential uses). The Use Classifications then organize land uses and activities into general "Use Categories" and specific "Use Types" based on common functional, product, or physical characteristics, such as the type and amount of activity, the type of customers or residents, how goods or services are
10		sold or delivered, and site conditions.
11 12 13 14 15 16	(2)	Use Categories. The Use Categories describe the major sub-groups of the Use Classification, based on common characteristics (e.g., the residential Use Classification is divided into two major Use Categories: Household Living and Group Living). Principal uses are identified in defining the Use Category. They are principal uses that most closely share the common characteristics that are key to the Use Category.
18 19 20 21 22 23	(3)	Use Types. The Use Categories are then divided into specific Use Types. The specific Use Types are included in the respective Use Category. They identify the specific uses that are considered to fall within characteristics identified in the Use Category. For example, single family detached dwellings, multi-family dwellings and town houses are Use Types in the Household Living Use Category.
24	, , , ,	Categories and Use Types Defined. All the Use Categories and Use
25	Types	listed in Table 2-202 are defined in Article VIII (Definitions).
26 27 28	"AR-	nitted and Special Exception Uses. A "P" in the column identified 2" indicates that a Use Category or specific Use Type is permitted as a er of right (as a permitted use) in the AR-2 district, subject to compliance
29		all applicable standards and regulations in this Ordinance and all other
30		ity ordinances. An "S" indicates that a Use Type is allowed in the AR-2
31 32		ct as a special exception in accordance with the procedures and ards of Section 6-1300. An "M" indicates that a Use Type is allowed in
33		AR-2 district as a minor special exception in accordance with the
34		edures and standards of Section 6-1300. In some instances, and based on
35	-	Additional Regulations for Specific Uses (Section 5-600), a Use Type
36		be permitted as a matter of right under certain conditions or allowed as a
37		al exception or minor special exception under other conditions. In those
38	-	nces, it is identified as "P/S" or "P/M," as appropriate.
39	. , , ,	rence to General Use Category. References to "General Use Category"
40	unde	r the Use Type column mean all of the uses in the Use Category are

41

allowed. The Use Category is defined in Article VIII. Where specific Use

Types are listed in the Use Type column, only the listed Use Types in the Use Category are allowed. The Use Types are defined in Article VIII.

- (E)(F) Additional Regulations for Specific Uses. References to sections in the final column of Table 2-202 (Additional Regulations for Specific Uses) indicate that the listed use is subject to use-specific regulations. The numbers provide a cross-reference to the "Additional Regulations for Specific Uses" in Section 5-600.
- (F) Minimum Lot Size Requirements. Each principal permitted use shall meet the minimum acreage requirement, where specified in the "Additional Regulations for Specific Uses" in Section 5-600, for that use. Where two or more principal uses are located on one parcel, the parcel size shall be the larger of the two or more uses requirements, and not the sum of all minimum lot sizes.

TABLE 2-202:  AR-2 AGRICULTURAL RURAL-2 DISTRICT USE TABLE  P = PERMITTED S = SPECIAL EXCEPTION M=MINOR SPECIAL EXCEPTION							
USE CATEGORY	USE TYPE	AR-2 DISTRICT	ADDITIONAL EGULATIONS FOR SPECIFIC USES				
AGRICULTURAL USES							
Agriculture	General Use Category	P	Section 5-626				
Horticulture	General Use Category	P	Section 5-626				
Animal Husbandry	General Use Category	P	Section 5-626				
Agriculture Support and Services	Agricultural processing	P	Section 5-627				
Directly Related to On-going Agriculture, Horticulture and Animal Husbandry	Agri-education	P	Section 5-627				
	Animal care business	Р	Section 5-627				
Activity, On-Site	Agritainment	P	Section 5-627				
	Commercial winery with 20,000 square feet or less	Р	Section 5-625				
	Commercial winery, over 20,000 square feet	S	Section 5-625				
	Custom operators	P	Section 5-627				
	Direct market business for sale of products produced on-site - including but not limited to PYO (pick-your-own)	Р	Section 5-627				

#### TABLE 2-202: AR-2 AGRICULTURAL RURAL-2 DISTRICT USE TABLE P = PERMITTED S = SPECIAL EXCEPTION M=MINOR SPECIAL EXCEPTION AR-2 ADDITIONAL EGULATIONS USD USB TYPE **CATEGORY** DISTRICT FOR SPECIFIC USES P Section 5-627 Equestrian facilities P Section 5-628 Farm based tourism P Section 5-627 Farm co-ops P Section 5-627 Farm machinery repair Farm markets P Section 5-603 Feedlot (for on-going, on-site P Section 5-627 animal husbandry activities) S Section 5-605 Nursery, commercial p Section 5-605 Nursery, production P Section 5-627 Pet farms P Section 5-627 Restaurant Sawmill S Section 5-629 Stables P Section 5-627 P Veterinary services P Virginia Farm Winery P Section 5-604 Wayside stand Ρ Section 5-627 Wetlands mitigation bank Agriculture Support P Section 5-644 Agricultural research facility and Services Not **Directly Associated** Animal care businesses P Section 5-630 with On-Site Agricultural Central farm distribution hub for Activity Ρ Section 5-630 agricultural products Commercial winery, with 20,000 P Section 5-625 square feet or less Commercial winery, over 20,000 S Section 5-625

square feet

# TABLE 2-202: AR-2 AGRICULTURAL RURAL-2 DISTRICT USE TABLE P = PERMITTED S = SPECIAL EXCEPTION M=MINOR SPECIAL EXCEPTION

P = PERMITTED S = SPECIAL EXCEPTION M=MINOR SPECIAL EXCEPTION							
USE CATEGORY	USE TYPE	AR-2 DISTRICT	ADDITIONAL EGULATIONS FOR SPECIFIC USES				
	Equestrian facility	. P	Section 5-630				
	Equestrian facility, on lots of less than 50 acres or without frontage on state maintained road	М	Section 5-630				
	Farm machinery repair	P	Section 5-630				
	Farm machinery sales, rental and service	P	Section 5-615				
	Mill feed and farm supply center	P	Section 5-630				
	Nursery, commercial	S	Section 5-605				
	Stable, neighborhood, on lots of 25 acres or more, or frontage on state maintained road	P	Section 5-630				
	Stable, neighborhood, on lots of less than 25 acres or without frontage on state maintained road	М	Section 5-630				
	Stable, private	Р	Section 5-630				
	Animal hospital	P	Section 5-631				
<b>Animal Services</b>	Kennel	S <del>M</del>	Section 5-606				
	Kennel, Indoor	М-Р	Section 5-606				
	Accessory dwelling (accessory to single family detached dwelling)	Р	Section 5-613				
	Caretaker's residence (accessory to single family detached dwelling)	₽					
Household Living	Dwelling, single-family detached, including manufactured housing	P	May subdivide property in accordance with Section 2-203 Development Options. May use AR-District Cluster Option. See Sections 2-204 and 5-703.				
	Guest house (accessory to single family detached dwelling)	p	Section-5-612				
	Home occupation (accessory to single family detached dwelling)	P	Section 5-400				
	Portable Dwelling/Trailer Construction	P					
Group Living	Co-housing	P					

TABLE 2-202:  AR-2 AGRICULTURAL RURAL–2 DISTRICT USE TABLE P = PERMITTED S = SPECIAL EXCEPTION M=MINOR SPECIAL EXCEPTION						
USE CATEGORY	USE TYPE	AR-2 DISTRICT	ADDITIONAL EGULATIONS FOR SPECIFIC USES			
	Convent or monastery	P/S	Section 5-656			
	Dormitory, seasonal labor	M	Section 5-632			
	Rooming house	P				
	Tenant dwelling	P	Section 5-602			
	Tenant dwelling, seasonal-labor	₽	Section 5-602(C)			
PUBLIC AND INST	ITUTIONAL USES					
Aviation	Airport/landing strip	S -	Section 5-633			
Day Care Facilities	Child care home	P	Section 5-609(A)			
Day Care Facilities	Child or adult day care center	S	Section 5-609(B)			
	Agricultural cultural center	S	Section 5-634			
Cultural and Government	Fairground	S	Section 5-635			
Facilities	Structures or uses for local government purposes not otherwise listed	S				
Education	School (elementary, middle, or high)	S				
Education	Vocational school	s				
Park and Open Space	Arboretum	P	Section 5-636			
	Botanical garden or nature study area	P	Section 5-636			
	Cemetery	S	Section 5-637			
	Mausoleum	S	Section 5-637			
	Crematorium	S	Section 5-637			
	Community, neighborhood, or regional park, passive recreational uses	Р				

P = PERMIT	AR-2 AGRICULTURAL F TED S = SPECIAL EXCE		TRICT USE TABLE  MNOR SPECIAL EXCEPTION	
USE CATEGORY	USE TYPE	AR-2 DISTRICT	ADDITIONAL EGULATIONS FOR SPECIFIC USES	
	Community, neighborhood, or regional park, active recreational uses	. S		
Dublic Cofety	Fire and/or rescue station	P	Section 5-638	
Public Safety	Police station or substation	P	Section 5-638	
	Church, synagogue, temple or mosque, with seating capacity of 300 or less seats in sanctuary or main activity area	P	Section 5-639	
Religious Assembly	Church, synagogue, temple or mosque, with seating capacity of more than 300 in sanctuary or main activity area, or accessory schools, day care centers with more than 50 children, recreational facilities	S	Section 5-639	
	General Use Category	P	Recycling drop-off collection center, public: Section 5-607 Utility substation, transmission: Section 5-616(A) Utility substation, distribution: Section 616(B)	
	Municipal drinking water supply reservoir	Р		
	Sewage Treatment Plant	S	Section 5-621	
Utility	Sewer Pumping Station	P	Section 5-621	
•	Water Storage Tank	S	Section 5-621	
1	Water Treatment Plant	S	Section 5-621	
	Water Pumping Station	P	Section 5-621	
	Utility transmission lines, overhead (excluding connections of lines from public utility transmission lines to individual development sites)	s	Unless excepted by Section 1-103(D)	

#### TABLE 2-202: AR-2 AGRICULTURAL RURAL-2 DISTRICT USE TABLE P = PERMITTED S = SPECIAL EXCEPTION M=MINOR SPECIAL EXCEPTION USD AR-2 ADDITIONAL EGULATIONS USB TYPE CATEGORY DISTRICT FOR SPECIFIC USES Section 5-640 Conference and training centers M Rural agricultural corporate P Section 5-619 Conference and retreat **Training Centers** Rural Resort P/M Section 5-601(D) (C) P/M Section 5-601(D) (C) Rural Retreat P Teahouse; coffeehouse Section 5-641 Food and Beverage Section 5-642 Banquet facility M Restaurant M Section 5-643 Educational or research facilities use related to the agriculture, Office M Section 5-644 horticulture and animal husbandry uses in the district Camp, day and boarding, with P Section 5-645 30 or fewer campers Camp, day and boarding, with M Section 5-645 more than 30 campers Campground M Section 5-646 Country Club <u>S</u> Section 5-660 P Section 5-647 Cross country ski business Recreation and Entertainment Eco-tourism Ρ Section 5-647 S Golf course Section 5-648 S Section 5-649 Outdoor amphitheater Private club or lodge <u>S</u> Rural recreational establishment, P outdoor Retail Sales and P Section 5-650 Antique shop Service P Section 5-650 Art gallery or art studio

#### **TABLE 2-202:** AR-2 AGRICULTURAL RURAL-2 DISTRICT USE TABLE P = PERMITTED S = SPECIAL EXCEPTION M=MINOR SPECIAL EXCEPTION 0830 AR-2 ADDITIONAL EGULATIONS USBITMED CATEGORY DISTRICT FOR SPECIFIC USES Auction house S Section 5-651 Craft shop S Section 5-650 Section 5-614 Small business P/M P/M Bed and breakfast, home stay Section 5 601(A) Bed and breakfast inn P/M Section 5-601(B)-(A) Visitor Accommodation Country inn <u>P/</u>M Section 5-601<del>(C)-</del>(B) Guest farm or ranch leasing up to P 20 guest rooms INDUSTRIAL USES Radio and/or television tower S Section 5-618 Telecommunications antenna P Section 5-618(A) Telecommunication Use and/or P Telecommunications monopole Section 5-618(B)(1) Structure Telecommunications monopole S Section 5-618(B)(2) Telecommunications S Section 5-618(C)(2) transmission tower (Grant of a special exception does not Yard waste and/or Vegetative avoid requirements of Chapter 1080, waste management compost SMCodified Ordinances of Loudoun County, facility or any other applicable law.) (Grant of a special exception does not Waste-Related Uses avoid requirements of Chapter 1080, Yard waste composting facility <u>S</u> Codified Ordinances of Loudoun County, or any other applicable law.)

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2-203 Lot and Building Requirements. Table 2 203 identifies the lot and building requirements that apply to all development in the AR 2 district, except land developed under the AR 2 Cluster Option pursuant to Section 2 204 and Section 5 703, or unless the performance standards in Section 5 600 (Additional Regulations for Specific Uses) specify different requirements.

- 9 -

S

Stockpiling of dirt

Section 5-657

TABLE 2-203					
AR-2 LOT AND BUILDING REQUIREMENTS					
VELOPMENT UNDER AR DISTRICT CLUSTER OPTION)					
50 acres					
200 feet on paved roads; 50 feet on unpaved roads					
No building shall be located within 25 feet of any property line nor within 100 feet from the right of way of any arterial road, 75 feet from the right of way of any collector road, and 35 feet from any other road right of way, private access easement, and any prescriptive easement.					
8% maximum, based-on-gross-acreage					
35 feet. No restriction for buildings used exclusively for agriculture, horticulture and animal husbandry.					
Access to individual lot provided by privately owned and maintained travelway which shall either be:					
<ul> <li>A private access easement that complies with the requirements of Chapter 4: Transportation of the Facilities Standards Manual; or</li> </ul>					
O A private lane that:  □ Is within a 24' private easement; □ Is at least 12' in width; □ If paved, is 2" over a 4" base; □ If gravel is 6"; and □ Has a maximum grade of 10% with a minimum 30'					
centerline curve radius.  O Private access easement or private lane may serve as frontage in lieu of public road frontage up to 25 lots.  Plat of division shall contain a note and provide for maintenance of private access easement or private lane.					

2-204 AR-2 Cluster Option. At the option of the landowner, lands in the AR-2 district may be developed pursuant to the procedures and requirements of the AR District Cluster Option (Section 5-703).

#### 2-205 Utility Requirements.

- (A) Water. Development shall be served either by individual wells or communal water supply systems. Individual wells or communal water supply systems may be located within the Rural Economy Conservation Lands consistent with the standards of Section 6-2005.
- 9 (B) Wastewater. Development shall be served either by communal sewer 10 systems or by septic systems. Communal sewer systems or septic systems 11 may be located within the Rural Economy Conservation Lands consistent with 12 the standards of Section 6 2005.

1 2

3

1	2-203	Developn	nent (	Options. Land within the AR-2 zoning district may be subdivided	
2	***************************************	under one of the three development options identified below. Nothing in this section			
3		,		he opportunity for a property owner to file for a Family Subdivision in	
4				th the requirements of the Land Subdivision and Development	
5		Ordinance		the requirements of the Build Subdivision and Bereiopinent	
			_		
6				nsity Division Option. A Base Density Division meeting the	
7		· · · · · · · · · · · · · · · · · · ·		standards and criteria may be permitted in accordance with the	
8		_		s outlined in the Land Subdivision and Development Ordinance	
9		<u>(LS)</u>	<u>DO) f</u>	or such division:	
10		(1)	Lot	Yield. Under the Base Density Division Option, the maximum lot	
11			yield	d shall be one lot per 40 acres.	
12		(2)	Peri	mitted Uses. The uses permitted on lots developed in accordance with	
13		(-/		Base Density Division Option are identified in Table 2-202 and are	
14				ect to the Additional Regulations for Specific Uses of Section 5-600.	
15		(3)	Lot	and Building Requirements.	
16			(a)	Minimum Lot Size. 40 acres.	
17			(b)	Minimum Lot Width. 175 feet.	
- /			(0)	THE PROPERTY OF THE PROPERTY O	
18			(c)	Minimum Yards. No structure shall be located within 25 feet of	
19				any property line or within 100 feet from the right-of-way of any	
20				arterial road; 75 feet from the right-of-way of any collector road; or	
21				35 feet from any other road right-of-way, private access easement,	
22				and/or any prescriptive easement.	
23			(d)	Maximum Lot Coverage. 11%.	
24			(e)	Maximum Building Height. 35 feet, excluding agricultural,	
25			( )	horticultural, and animal husbandry structures.	
26		(4)	Cre	ation of Lots.	
27			(a)	Request. Requests for creation of lots by plat of division in the AR-	
28			<b></b> /	2 District shall be submitted to the Director of the Department of	
29		I		Building and Development (or designee) for review and approval in	
30				accordance with "AR-2 and AR-1 Divisions" of the Land	
31				Subdivision and Development Ordinance.	
32			(b)	Public Road Frontage. No such lot shall be created fronting on a	
33				public road unless the publicly dedicated width of such road along	
34				the entire frontage of the newly created lot, measured from the	
35				centerline of the road to the property line of the lot, satisfies the	
36				criteria of the Virginia Department of Transportation (VDOT).	
37					

1			(c)	Utility Requirements. Each lot shall have an on-site water supply
2				and individual sewage disposal.
3		(5)	Lot	Access.
4 5 6			(a)	Access to individual lots may be provided by a private access easement that complies with the requirements of the Facilities Standards Manual.
7 8			(b)	A private access easement may serve as frontage in-lieu of public road frontage for up to 7 lots.
9 10			(c)	The plat of division shall contain a note detailing the provisions for the maintenance of the private access easement.
11 22 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27	(B)	Subocalci The The Prince Lots estable The perm for of Prince achie	division allowed the control of the	/Subordinate Subdivision Option: The Principal/Subordinate on Option is a subdivision of land in which a maximum lot yield is I for an Originating Tract based on the gross acreage of such tract. In the creation of subal/Subordinate Subdivision Option results in the creation of one Lot, and one or more Subordinate Lots. The number of Subordinate and its subtracted from the maximum lot yield and the resulting number is the remaining number of lots, which is assigned to the Principal Lot. It tion of subsequent Subordinate Lots from the Principal Lot is with the number of lots assigned to the Principal Lot reduced by one Subordinate Lot created. Once the number of lots assigned to the Lot is reduced to one, no more Subordinate Lots can be created. The Subordinate Subdivision Option typically allows the landowner to greater lot yield than the base density of the Base Density Division while providing for the establishment of rural economy uses as a se with single-family detached residential development as a secondary
29		(1)	<u>Gen</u>	eral Requirements.
30 31 32			(a) (b)	General. A landowner may exercise this option on a site consisting of a minimum of 40 acres prior to development.  Lot Yield. The maximum lot yield shall be 1 lot per 20 15 acres.
33 34		(2)	<u>Cha</u>	racteristics of Principal/Subordinate Subdivision Option.
35 36 37 38			(a)	The lot yield of a Principal/Subordinate Subdivision shall be calculated from the Originating Tract of land in existence at the time the first Principal/Subordinate Subdivision is created.
96 39 40			(b)	Once a Principal/Subordinate Subdivision is created, the number of lots assigned to the subdivision shall not be altered.

1			
1 2		(c)	The lot yield of the Originating Tract shall be calculated with each
3		(0)	preliminary and/or record plat. At the time of the first subdivision,
4			the number of Subordinate Lots created is subtracted from the
5			number of lots calculated for the Originating Tract and the remaining
6			number of lots is then assigned to the Principal Lot. Each
7			subsequently created Subordinate Lot is subtracted from the number
8			of lots assigned to the Principal Lot and shall reduce the number of
9			lots assigned to the Principal Lot by one (1) for each lot.
			tots assigned to the Finicipal Lot by one (1) for each lot.
10			
11		(d)	A Principal Lot may be further subdivided, provided the minimum
12			requirements of the Zoning Ordinance and Land Development and
13			Subdivision Ordinance (LSDO) are met. Once the number of lots
14			assigned to the Principal Lot is reduced to one, the Principal Lot may
15			no longer be subdivided.
16		(-)	Co.3 3'
17		(e)	Subordinate Lots shall not be further subdivided. The record plat
18			and initial deed of conveyance after establishment of a subdivision
19			lot under the Principal/ Subordinate Subdivision Option shall contain
20			a statement to this effect.
21			
22		(f)	A subdivision of one or more lots may occur at one time or in a
23			series of subdivisions up to the maximum lot yield calculated for the
24			Originating Tract.
25			
26		(g)	Any subdivision record plat for a Principal/Subordinate Subdivision
27			shall contain a tabulation of density showing, in addition to all Land
28			Subdivision and Development Ordinance (LSDO) requirements, the
29			lot yield originally calculated for the Originating Tract, all prior
30			subdivisions from the Originating Tract and each resulting Principal
31			Lot and number of lots created pursuant to such subdivisions.
32			
33		(h)	The Principal Lot shall be clearly labeled on each record plat.
34			
35		(i)	Each Principal/Subordinate Subdivision shall contain at least one
36			Rural Economy Lot of a minimum of 25 acres in size.
37	(0)		A., 2.44
38	(3)	Peri	nitted Uses.
39		(a)	Principal and Subordinate Lots. The uses permitted on lots
40		\ <del></del> /	developed in accordance with the Principal/Subordinate
41			Development Option are identified in Table 2-202 and are subject to
42			the Additional Regulations for Specific Uses of Section 5-600.
43			
44	(4)	Lot	and Building Requirements. The Lot and Building Requirements
45			development under the Principal/Subordinate Subdivision Option are

1		identified below, except where the performance standards in Section 5-600
2		(Additional Regulations for Specific Uses) specify different requirements
3		for a particular use.
4		
5		(a) Minimum Lot Size. 80,000 square feet, exclusive of major
6		floodplain. At least one lot in the development shall be a Rural
7		Economy Lot with a minimum of 25 acres.
1		Economy Lot with a minimum of 25 acres.
8		
9		(b) Minimum Lot Width. 175 feet.
10		
11		(c) Maximum Length/Width Ratio. 3:1.
12		
13		(d) Minimum Yards. No structure shall be located within 25 feet of
14		any property line or within 100 feet from the right-of-way of any
15		arterial road, 75 feet from the right-of-way of any collector road, and
16		35 feet from any other road right-of-way, private access easement,
17		and/or any prescriptive easement.
18		
19		(e) Maximum Lot Coverage. 15% maximum.
		(0)
20 21		(f) Building Height. 35 feet maximum, excluding agricultural,
22		horticultural, and animal husbandry structures.
<i>LL</i>		norticultural, and animal husbandly structures.
23	(5)	Landscaping/Buffering. Notwithstanding the requirements of Section 5-
24	(-)	1400, required buffers may be provided on either the Principal and/or
25		Subordinate lots.
26	(6)	<u>Utility Requirements.</u>
27		(a) Water. All lots shall be served by individual water supply systems
27		
28		located on the lot.
29		
30		(b) Sewer. All lots shall be served by individual sewage disposal
31		systems located on the lot.
32		
33	(7)	Fire Protection. The development shall satisfy the fire protection
34		standards set forth in the Facilities Standards Manual.
35	(8)	Lot Access.
36		(a) Access to individual lots may be provided by a private access
37		easement that complies with the requirements of Chapter 4:
38		Transportation, of the Facilities Standards Manual.
39		(b) A private access easement may serve as frontage in lieu of public
40		road frontage up to 25 lots per easement.
<del>1</del> 0		road from ago up to 25 tota per casement.

1 2			(c)	The record plat of subdivision shall contain a note detailing the provisions for the maintenance of the private access easement.
3				
4	(C)	Clus	ster S	Subdivision Option. The Cluster Subdivision Option allows for the
5	(0)			on of a tract of land with a more compact residential design plus one or
_				te lots suitable for rural economy uses and/or common open space.
6 7				al water and sewer systems may be used for such developments.
′		Con		
8		(1)	Gen	eral Requirements.
9			(a)	General. A landowner may exercise this option on a site consisting
10			` `	of a minimum of 40 acres prior to development.
				•
11			(h)	Lot Yield. The maximum lot yield shall be 1 lot per 20 15 acres.
12			(b)	Lot Held. The maximum lot yield shall be 1 lot per 20 13 acres.
13				
14		(2)	Cha	racteristics of Cluster Subdivision Option.
15			(a)	Depending on the tract size the cluster subdivision may include one
16			` '	or more Rural Cluster Lots and at least one Rural Economy Lot and
17				may include Common Open Space.
18				and the second s
19			(b)	The lot yield of the cluster subdivision shall be calculated from the
20			(0)	gross acreage for the tract of land from which the subdivision is
21				created.
				<u>created.</u>
22				
23			(c)	All lots within the cluster subdivision shall be created at one time.
24				
25			(d)	The lots created by cluster subdivision shall not be further
26				subdivided.
27				
28			(e)	A Homeowners' Association is required for any subdivision with
29			(-)	common elements as described in Section 2-204.
30				
31			(f)	Each preliminary and record plat for a cluster subdivision shall
32			(1)	contain a tabulation of lot yield for the cluster subdivision.
				contain a tabulation of for yield for the cluster subdivision.
33				
34			(g)	The perimeter setback required in Section 2-203(C)(6) shall be
35				indicated and clearly labeled on each preliminary and record plat.
36				
37			(h)	A minimum of 70% of the gross land area of the development shall
38				be comprised of a Rural Economy Lot(s) or a combination of a Rural
39				Economy Lot(s) and common open space.
40		<b>(</b>	<b>.</b>	
41		(3)		standards for Rural Cluster Lot(s). The site layout of the
42			prop	osed development shall occur during preliminary subdivision plat

1	revie	ew. Development of the cluster option shall comply with all of the
2	follo	wing standards in addition to the requirements of the LSDO:
3	(a)	Number of Lots in Cluster(s). Lots shall be grouped in clusters
4	` '	consisting of a minimum of 5 lots and a maximum of 25 lots, except
5		that a cluster may consist of fewer than 5 lots if any one of the
6		following applies:
7		
8		(i) There will be fewer than 5 lots in the entire subdivision.
9		(ii) In the AR-2 district, the area of the site is less than 100 acres.
0		(iii) It is demonstrated that a cluster of fewer than 5 lots will result
11		in less disturbance of land within the Mountainside
12		Development Overlay District (MDOD), Floodplain Overlay
13		District (FOD) lands, and/or land containing steep slopes
14		and/or wetlands.
15		
16	(b)	Number of Clusters. Multiple groupings of Rural Cluster Lots shall
17		be required where the total number of lots on a site is greater than
18		25. A single grouping of Rural Cluster Lots shall contain all the lots
19		where the total number of lots on a site is 25 or fewer, except that
20		multiple clusters may be allowed where it is demonstrated that
21		multiple clusters will result in less disturbance of land within the
22		Mountainside Development Overlay District (MDOD), Floodplain
23		Overlay District (FOD) lands, and/or land containing steep slopes
24		and/or wetlands.
25		
26	(c)	Distance Between Clusters. If more than one grouping of cluster
27		lots is to be created from a parcel, a minimum of 500 feet shall
28		separate the lot lines of the outer boundaries of each grouping of
29		cluster lots (exclusive of common open space and lots 25 acres or
30		greater).
31		
32	(d)	Minimum Lot Size.
33		
34		(i) On-site Water and Wastewater. 40,000 sq. ft., exclusive of
35		major flood plain.
36		400 COM 10 TTT
37		(ii) Off-site Wastewater, On-site Water. 20,000 sq. ft., exclusive
38		of major flood plain.
39		
40		(iii) Off-site Water and Off-Site Wastewater. No minimum lot
41		size.
42		
43	(e)	Maximum Lot Size. 175 feet.
14		
45	(f)	Maximum Lot Coverage.
Section 2-200		- 16 -

1 2 3 4 5 6 7 8 9	(4)		(i) Lots less than 40,000 sq. ft.: 8%. (ii) Lots 40,000 sq. ft 4 acres: 15%.  Permitted Uses on Lots. The uses allowed on lots are identified in Table 2-202 and are subject to the Additional Regulations for Specific Uses in Section 5-600.  Standards for Rural Economy Lots. Each cluster subdivision shall ain at least one Rural Economy Lot that shall meet the following	
11		stand		
12 13 14 15		<ul><li>(a)</li><li>(b)</li><li>(c)</li></ul>	Minimum Lot Size. 25 acres.  Maximum Lot Coverage. 8%.  Minimum Lot Width. 175 feet.	
17		<i>(</i> 1)	DK : X () NYPRO D () O 1	
18 19		(d)	Maximum Length/Width Ratio. 3:1.	
20 21 22 23		(e)	Permitted Uses on Lots. The uses allowed on lots are identified in Table 2-202, subject to the Additional Regulations for Specific Uses in Section 5-600.	
24 25 26 27 28 29 30	(5)	road main Com cohes Oper	mon Open Space Use. Land that is neither part of a building lot nor a right-of-way shall be placed in common open space and shall be tained by a Homeowner's Association as described in Section 2-204. mon Open Space shall be designed to constitute a contiguous and sive unit of land which may be used as described below. Common a Space has no minimum or maximum lot size and no lot width ations. Further, Common Open Space does not count against the lot	
31		yield allotted to the subdivision.		
32 33 34 35		(a)	Permitted Uses. Uses allowed on the Common Open Space land are listed below and are subject to the Additional Regulations for Specific Uses in Section 5-600 as referenced:	
36 37 38 39 40			(i) Agriculture, horticulture, animal husbandry and structures accessory to such use, including, but not limited to barns and run-in sheds to house livestock or farm equipment, pursuant to Section 5-626.	
41 42 43 44			(ii) Construction and/or sales trailer, during period of construction activity.	
45 46			(iii) Easements and improvements for drainage, access, sewer or water lines, or other public purposes.	

1 2 3			(iv)	Passive open space or passive recreation, including but not limited to trails, picnic areas, community gardens.
4 5			(v)	Sewage disposal system, communal.
6 7			(vi)	Sewer pumping station.
8 9			(vii)	Stables, pursuant to Section 5-627.
10				•
11			(viii)	Stormwater management facilities for the proposed
12				development or for a larger area in compliance with a
13				watershed stormwater management plan.
14				
15			(ix)	Telecommunications antenna, pursuant to Section 5-618(A).
16 17			(x)	<u>Telecommunications monopole, pursuant to Section 5-618(B)(1).</u>
18			(xi)	Telecommunications monopole, pursuant to Section 5-
19			(111)	618(B)(2).
20			(xii)	Utility substation, dedicated.
21			(xiii)	Utility transmission lines, overhead (excluding connections
22				of lines from existing overhead public utility transmission
23				lines to individual uses).
24			(reign)	Water numerica station
25			(xiv)	Water pumping station.
26			()	Weter over 1 contains a second
27 28			(xv)	Water supply system, communal.
26 29		(b)	Specie	al Exception Use. The following uses are permitted within
30		(0)		non Open Space with Special Exception approval pursuant to
31				n 6-1300 and are subject to the Additional Regulations for
32				fic Uses in Section 5-600 as referenced.
33			<b>_</b> _	
34			(i)	Active recreation space.
35 36			(ii)	Telecommunications tower, pursuant to Section 5-618(C)(2).
37	(6)	Setb	ack	
38	(0)	(a)	_	cucture shall be located within one hundred (100) feet from the
39		(4)		of way of any arterial road; seventy five (75) feet from the right
40				y of any collector road; or thirty five (35) feet from any other
41				right of way, private access easement, and/or prescriptive
42			easem	
43				

1		(b)	Perin	neter Setback. Residential dwellings within the subdivision,	
2		` ,	includ	ling the Rural Economy Lot, shall be set back a minimum of 100	
3			feet f	rom any lot line adjoining parcels not located within the cluster	
4			<u>subdi</u>	vision.	
5 6	(7)	Yard	<u>ls.</u>		
7		(a)	Front	t. 35 feet minimum.	
8 9		(a)	T. I. OIL	. 33 feet minimum.	
10		(b)	Side.	15 feet minimum.	
11			<b>7</b> 3		
12		(c)	<u>Kear</u>	. 35 feet minimum.	
13	(8)	Ruil	ding D	equirements.	
14 15	(0)	Dune	ung iv	cqui circuis.	
16		(a)	Build	ling Height. Thirty five (35) feet maximum, excluding	
17		(/		ultural, horticultural, and animal husbandry structures.	
18					
19	(9)	<u>Utili</u>	ty Rec	quirements.	
20					
21		(a)	Wate	er. All lots shall be served by either:	
22			(i)	Individual water systems, located on the lot served; or	
23			(ii)	Communal water system, located within Common Open Space,	
24			•	with maintenance to be provided pursuant to Section 2-	
25				<u>203(C)(10).</u>	
26					
27		(b)	Sewe	er. All lots shall be served by either:	
28			(i)	Individual sewage disposal systems. Such system shall be	
29				located on the lot served or in common open space. A	
30				maximum of seventy percent (70%) of the lots may have	
31				primary and/or reserve septic fields within common open	
32				space. The record plat shall identify the location of all septic fields and shall assign them to lots, or	
33					
34			(ii)	Communal sewage disposal system that shall be located within	
35				Common Open Space with maintenance to be provided	
36				pursuant to Section 2-203(C)(10).	
37 38	(10)	Mai	ntanai	nce of Water and/or Sewage Disposal Systems.	
39	(10)	(a)		vidual Systems. Maintenance of Individual Water and	
40		(4)	***************************************	ridual Sewage Disposal Systems shall be the responsibility of	
41				wner of the lot the system serves.	
42		<i>a</i> 1 .		•	
43		(b)	Communal. If the development is served by a communal water		
44			and/or sewage disposal system, such systems shall be operated and		
45				tained by LCSA, in accord with all LCSA adopted policies. If A policies preclude maintenance by LCSA, then the HOA shall	
46			<u> エ(り</u>	A policies precidue manuchance by LeoA, then the HOA shan	

1			contract with a public water or sewer (wastewater) utility as defined
2			in Chapter 10.1 or 10.2 of Title 56 of the Code of Virginia. An
3			access easement shall be provided for the entity maintaining the
4			system. All costs of operation and maintenance of such communal
5			systems shall be borne as a common expense by the owners of the
6			<u>lots served.</u>
7			
8		<u>(11)</u>	Lot Access.
			· · · · · · · · · · · · · · · · · · ·
9			(a) Access to individual lots or common open space may be provided by
10			a private access easement which shall comply with the requirements
11			of the Facilities Standards Manual.
12			
13			(b) Private access easements may serve as frontage in lieu of public road
14			frontage for up to 25 lots per easement.
15			
16		(	(c) The plat of subdivision shall contain a note detailing the
17			maintenance provisions for the private access easement.
18			
19			Fire Protection. The development shall satisfy the fire protection
20		į	standards set forth in the Facilities Standards Manual.
21	2,204 Hon	neowne	ers' Association and Responsibilities.
22	(A)		subdivision contains any of the common areas or improvements listed
23	()		the development shall have an incorporated Homeowners' Association
24			A"). The HOA shall have the right and responsibility to maintain the
25			ving areas or improvements:
		<u>xoxxo</u> ,	The droub of the pro-
26		(1)	Common open space areas within the development that are not part of an
27			individual lot;
28			
29		(2)	Lot(s), if owned by the HOA;
30			
31			Private roads, if any, within or serving the development, except at
32		•	provided in Section 2-204(C);
33			
34		` ,	Communal water and/or sewage disposal systems, except as provided in
35		:	Section 2-204(D);
36		(5)	A
37		(5)	Any stormwater management facilities or areas;
38 39		(6)	Fire protection pond(s), dry mains, or other improvements;
39 40		(0)	The protection policies, dry mains, or other improvements,
41		(7)	Such other common facilities or improvements as may be designated in
42		, ,	the bylaws of the HOA.
43			the bytans of the Hort.
43 44	(B)	Meml	pership in the HOA shall be required for all purchasers of lots in the
45	(D)		vision and their successors in title.
40		<u>suvul</u>	vision and men successors in time.

- 20 -

1		
2	(C)	
3		element is private roads or easements, then they shall either be maintained by an
4		HOA or pursuant to a private road maintenance agreement. If such roads are to be
5		maintained pursuant to a private road maintenance agreement, then the terms
6		thereof shall be included on each record plat of subdivision for the development.
7		
8	(D)	
9		sewage disposal systems may be maintained by LCSA or a public water or sewer
10		(wastewater) utility as defined in Chapter 10.1 or 10.2 of Title 56 of the Code of
11		<u>Virginia.</u>
12	(17)	Drive to account of a manual ulat of subdivision for the about on
13	(E)	Prior to approval of a record plat of subdivision for the cluster:
14		(1) If a Homeowner's Association is to be established, the landowner shall
15		submit documents for the creation of the HOA to the County for review
16		and approval, including its bylaws, and all documents governing
17		ownership, maintenance, and use restrictions for common areas, including
18		a legal description of such areas and a description of restrictions placed
19		upon the use and enjoyment of the land.
20		(2) If a communal water and/or sewage disposal system is to be maintained by
21		a third-party, a minimum two year maintenance contract is to be submitted
22		for review by the County.
23		
24		(3) If the subdivision is served by private roads and there is no HOA for the
25		subdivision, the developer shall submit a private road maintenance
26 27		agreement to the County for review and approval.
28	2-205 Re	cognizing Protection by Right to Farm Act. Record plats and deeds authorized
29		rsuant to this section shall include a statement that agricultural operations enjoy the
30	-	stection of the Right to Farm Act (Va. Code Section 3.1-22.28 et seq.).
31		
32	2-206 <u>Ex</u>	isting Lots of Record.
33	(4)	
34	(A)	Lots existing as of (insert date of ordinance adoption) shall be permitted the
35		uses identified in Table 2-202: AR-2 Agricultural Rural-2 District Use Table
36	ŀ	and shall follow the lot and building requirements for the Base Density
37		Division option as identified in Section 2-203(A).
38	(IR)	Hamlet Lots. For lots recorded prior to (insert date of ordinance adoption) and
39 40	(B)	developed under a hamlet subdivision, in accordance with the zoning
40 41		ordinance in effect at the time of subdivision, such lots shall follow the
41 42		requirements in effect as of the date the lots were recorded.
42 43		requirements in effect as of the date the fots were recorded.
43		

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1 2	ARTICLE	II, DIVISION B – JOINT LAND MANAGEMENT AREA (JLMA)  DISTRICTS
3 4	Section 2-100	0 Joint Land Management Area-1 District: JLMA-1
5 6 7	dev	se and Intent. This district is established to accommodate and foster the relopment of land within the joint land management areas (JLMAs) outside incorporated towns in Loudoun County to:
8 9	(A)	Ensure development in the JLMA-1 district is consistent with the JLMA serving as a gateway to the towns;
10	(B)	Encourage an appropriate mix of residential and nonresidential land uses;
11	(C)	Provide a variety of housing types and lot sizes;
12 13 14	(D)	Where appropriate, achieve a pattern of development that generally conforms to the established, traditional pattern of development in the towns;
15 16	(E)	Establish the type and scale of development desired for the entranceway of the towns; and
17	(F)	Implement jointly adopted area plans, where applicable.
18 19 20 21	Re tha	and Location. This district modifies and replaces the Countryside sidential (CR-1) district within the JLMAs. It is the intent of the County to the JLMA-1 boundaries not be extended beyond the existing JLMA andaries. The limits of this district are as designated on the Zoning Map.
22 23		egulations. Table 2-1003 summarizes the principal use regulations of the MA-1 district.
24 25 26	(A)	<b>Organization of Use Table.</b> Table 2-1003 organizes the uses in the JLMA-1 district Use Table by Use Classifications, Use Categories and Use Types.
27 28 29 30 31 32 33 34 35 36		(1) Use Classifications. The Use Classifications are: residential uses; agricultural uses; public and institutional uses; commercial uses; and industrial uses. The Use Classifications provide a systematic basis for assigning present and future land uses into broad general classifications (e.g., residential uses and agricultural uses). The Use Classifications then organize land uses and activities into general "Use Categories" and specific "Use Types" based on common functional, product, or physical characteristics, such as the type and amount of activity, the type of customers or residents, how goods or services are sold or delivered, and site conditions.

1

Use Categories. The Use Categories describe the major sub-(2) 1 groups of the Use Classifications, based on common characteristics 2 (e.g., the residential Use Classification is divided into two major 3 Use Categories: Household Living and Group Living). Principal 4 uses are identified in defining the Use Category. 5 principal uses that most closely share the common characteristics 6 that are key to the Use Category. 7 Use Types. The Use Categories are then divided into specific Use 8 (3) Types. The specific Use Types are included in the respective Use 9 Category. They identify the specific uses that are considered to 10 fall within characteristics identified in the Use Category. 11 Use Categories and Use Types Defined. All the Use Categories and Use (B) 12 Types listed in Table 2-1003 are defined in Article VIII (Definitions). 13 Permitted and Special Exception Uses. A "P" in the column identified (C) 14 "JLMA-1" indicates that a Use Category or specific Use Type is permitted 15 as a matter of right (as a permitted use) in the JLMA-1 district, subject to 16 compliance with all applicable standards and regulations in this Ordinance 17 and all other County ordinances. An "S" indicates that a Use Type is 18 allowed in the JLMA-1 district as a special exception in accordance with 19 the procedures and standards of Section 6-1300. In some instances, and 20 based on the Additional Regulations for Specific Uses (Section 5-600), a 21 Use Type will be permitted under certain conditions, or allowed as a 22 special exception under other conditions. These uses are identified as 23 "P/S". 24 Reference to General Use Category. References to "General Use (D) 25 Category" under the Use Type column means all of the uses in the Use 26 Category are allowed. The Use Category is defined in Article VIII. 27 Where specific Use Types are listed in the Use Type column, only the 28 listed Use Types in the Use Category are allowed. The Use Types are 29 30 defined in Article VIII. Additional Regulations for Specific Uses. References to sections in the (E) 31 final column of Table 2-1003 (Additional Regulations for Specific Uses) 32 indicate that the listed use is subject to use-specific regulations. The 33

34

35

Specific Uses" in Section 5-600.

numbers provide a cross-reference to the "Additional Regulations for

JLMA	TABLE -1 JOINT LAND MANAGEME	16-1489-44684-7508-7508-7508	DISTRICT USE TABLE				
P = PERMITTED S = SPECIAL EXCEPTION							
USE CATEGORY	USE TYPE	JLMA-1	ADDITIONAL REGULATIONS FOR SPECIFIC USES				
RESIDENTIAL USE	S						
	Accessory dwelling (accessory to single family detached dwelling)	. P	Section 5-613				
	Dwelling, single-family detached, including manufactured housing	P	Manufactured housing subject to Section 5-620				
Household Living	Guest house (accessory to single family detached dwelling)	P	Section 5-612				
S	Home occupation (accessory to single family detached dwelling)	Р	Section 5-400				
	Model home	P	Section 5-500(A)				
	Portable dwelling/trailer during construction of primary residence	P	Section 5-500				
	Congregate housing facility	S					
	Continuing care facility	s					
Group Living	Orphanage or similar institution	S					
	Tenant dwelling	S	Section 5-602				
AGRICULTURAL U	ISES						
Agriculture	General Use Category	P	Section 5-626				
Horticulture	General Use Category	P	Section 5-626				
Animal Husbandry	General Use Category	Р	Section 5-626				
Agriculture Support and	Agricultural processing	P	Section 5-627				
Services Directly Related to On-going	Animal care business	Р	Section 5-627				
Agriculture, Horticulture and	Custom operators	P					
Animal Husbandry Activity, On-Site	Direct market business for sale of products produced on-site-including but not limited to PYO (pick-your-own)	Р	Section 5-627				

#### TABLE 2-1003 JLMA-1 JOINT LAND MANAGEMENT AREA-1 DISTRICT USE TABLE

#### P = PERMITTED S = SPECIAL EXCEPTION

	P=PERMITTED S=:	STEELAL EX	
USE CATEGORY	USE TYPE	JLMA-1	ADDITIONAL REGULATIONS FOR SPECIFIC USES
	Equestrian facilities	P	Section 5-627
	Equestrian facility, on lots of less than fifty (50) acres, or without frontage on a state maintained road	S	Section 5-627
	Farm based tourism events	P	Section 5-628
	Farm co-ops	P	Section 5-627
	Farm machinery sales, rental, and services	S	Section 5-627
	Farm machinery repair	P	Section 5-627
	Farm markets	P	Section 5-603
	Mill feed and farm supply center	S	Section 5-627
	Nursery, commercial	S	Section 5-605
	Nursery, production	P	Section 5-605
	Nursery, production, without frontage on a state maintained road	S	Section 5-605
	Pet farms	P	Section 5-627
	Stable, private	P	Section 5-627
	Stable, neighborhood, on lots less than twenty-five (25) acres, or without frontage on a state maintained road	S	Section 5-627
I	Virginia Farm Winery	P	Section 5-627
	Wayside stand	P	Section 5-604
	Wetlands mitigation bank	P	Section 5-627
PUBLIC AND INST	TUTIONAL USES	I	•
Day Care Facilities	Child care home	P	Section 5-609(A)

#### TABLE 2-1003 JLMA-1 JOINT LAND MANAGEMENT AREA-1 DISTRICT USE TABLE P = PERMITTED S = SPECIAL EXCEPTIONADDITIONAL REGULATIONS USE CATEGORY JLMA-1 USE TYPE FOR SPECIFIC USES Child or adult day care center S Section 5-609(B) · P Bus shelter Community center S Community center, HOA P facilities only Commuter parking lot, with Cultural and S greater than 50 spaces Government Commuter parking lot, with **Facilities** P 50 spaces or less S Library Structure or use for federal, state, County, or local S governmental purposes, not otherwise listed School (elementary or middle), for fifteen (15) S Section 5-655 pupils or less Education School (elementary, middle, or S high), for more than 15 pupils S Section 6-637 Cemetery S Mausoleum Section 5-637 S Crematorium Section 5-637 Park and Open Community, neighborhood or Space regional park, passive P recreational uses Community, neighborhood or regional park, active S recreational uses P Wetlands mitigation bank S Section 5-638 Fire and/or rescue station **Public Safety**

**Religious Assembly** 

Police station or substation

Church, synagogue or temple, with seating capacity of 300 or

less in sanctuary or main area

S

P

Section 5-638

Section 5-639